

holding of a special term of the District Court of Bastrop county."

Respectfully submitted,

W. M. NEYLAND,

Chairman Committee Engrossed Bills.

The hour having arrived for the consideration of the special order, viz:

A bill supplementary to an act to incorporate the Brownsville Bridge Company, bill taken up, and amendments recommended by the Committee on Roads, Bridges and Ferries adopted.

Senator Parker moved to amend as follows:

"Strike out all after the word 'to,' in the seventeenth line of section 1st, to the end of the section, and insert 'a ferry landing within the corporate limits of said city.'"

Amendment made.

Bill as amended, read second time and ordered to be engrossed.

Upon motion of Senator Blount, rule was suspended, and a bill amendatory of and supplemental to an act entitled "An act to adopt and establish a Penal Code for the State of Texas," taken up, and the amendments recommended by the Judiciary Committee adopted.

Upon motion of Senator Guinn, "twenty" was stricken out and "ten" inserted; bill as amended read second time and passed to a third reading; rule further suspended, read third time and passed.

Upon motion of Senator Voigt, the Senate adjourned until to-morrow morning 9½ o'clock.

SENATE CHAMBER, {
Nov. 6, 1866. }

Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called—quorum present.

Journal of yesterday read and adopted.

Senator Yarbrough made the following report:

Hon. G. W. Jones, President of the Senate:

The Committee on Commerce and Manufactures, to whom was referred a bill to be entitled "An act for the relief of J. W. Vineyard and his assigns, having examined the same, the committee have instructed me to report the bill back to the Senate, with the following amendment:

Amend 2d section by striking out all after the word "State,"

in the eighth line, and when so amended, to recommend the passage of the bill.

J. C. YARBRO, Chairman.

Also reports:

Hon. G. W. Jones, President Senate:

The Committee on Commerce and Manufactures, to whom was referred a House bill entitled "An act to incorporate the Harris county Manufacturing Company," having examined the same, the committee have instructed me to report the bill back to the Senate, with the following amendments:

Change section 7 to section 8, and insert section 7. "That the service of all legal process upon said Company shall be sufficient, if made upon the President or Secretary of the Board of Directors.

J. C. YARBRO, Chairman.

Senator Foscue made the following report:

Hon. G. W. Jones, President of the Senate :

The Committee on Education, to whom was referred a House bill to be entitled "An act for the purpose of carrying into effect an ordinance of the Convention securing the common school and University fund, and for other purposes," have had the same under consideration, and although they believe the bill defective, yet, owing to the shortness of time, they feel constrained to recommend its passage, rather than run the risk of the failure of some measure of this kind at the present session.

F. F. FOSCUÉ, Chairman.

Senator Truitt, Chairman of Committee on Private Land Claims, reports and recommends the passage of a House bill for the relief of the heirs of Henry Roberds, deceased.

Senator Guinn made the following report:

Hon. G. W. Jones, President Senate:

The Finance Committee, to whom was referred the petition of sundry citizens of Collin county, asking relief for J. S. M. Davis, stating that at the Fall term of the District Court of said county, in the year 1858, the said Davis was convicted in two cases, and fined in one, \$125 00 and cost; and in the other, \$100 00 and cost—fine and cost in both, about \$300 00; that the said Davis has fully paid the same, that the two convictions and judgments were caused by prejudice and malice in certain persons. From the statements contained therein, they think the said Davis has had wrongfully to pay the money; and they suppose that the statements are all true that are contained in the petition. But for the State to refund the money to Mr. Davis is wrong, for this reason: the cost went to certain persons, and the State has no interest in the same; that the fine went to the county of Collin, and that the county received all the benefit of the same; that

the county of Collin ought to refund the money, if it should be refunded. The committee have instructed me to return the petition, and state that if any relief be granted, that the Police Court of Collin is the place for Mr. Davis to apply, and they believe they will grant the relief, if any ought to be granted.

R. H. GUINN, Chairman.

Senator Coppedge made the following report:

Hon. G. W. Jones, President of the Senate:

The Committee on Counties and County Boundaries, to whom was referred a House bill to be entitled "An act to regulate the organization of new counties," have had the same under consideration, and recommend the following amendment:

Strike out the second section from the bill, and insert in lieu thereof "Section 2. That this act take effect and be in force from and after its passage." And when so amended, recommend its passage.

C. C. COPPEDGE, Chairman.

Senator Jowers made the following report:

Hon. G. W. Jones, President of the Senate, and Hon. N. M. Burford, Speaker of House of Representatives :

The Joint Select Committee, to whom was referred the message of His Excellency the Governor, upon the bill for the relief of debtors, have given the same a careful and candid consideration, and recommend that the message of the Governor be sustained.

Your committee believing and fully concurring with the views of the Governor in relation to the condition of the country, being such as to demand the passage of some law having the same object in view; and hence, with as little delay as possible, your committee have prepared a bill, which is herewith submitted, and recommend its passage.

The bill has received the fullest consideration which your committee have been able to give the same, and your committee believe that the same will not be subject to the objections urged against the passage of the former bill; and your committee would remark that the provisions of the bill are dependent one upon the other, and that any material amendment in one section or part of the bill, might destroy the most important provisions of the entire bill.

W. G. W. JOWERS,

Chairman on part of the Senate.

M. S. MUNSON,

Chairman on part of the House of Representatives.

On motion of Senator Shelley, rule suspended, and bill and report were taken up and made special order for ten o'clock tomorrow.

Senator Foscue made the following report:

To the President of the Senate :

The Committee of Free Conference, to whom was referred the disagreement of the two Houses upon a bill to regulate the alienation and transfer of animals in this State, have had the bill under consideration, and instruct me to report that the Senate should recede from the two amendments to which the House disagreed, and that the bill should be amended as follows :

In first section, ninth line from bottom, amend by inserting between the words "sale" and "the," the words "of animals as they run in the range."

In 3d section, fifth line from the bottom, strike out the words "indictment and."

In 4th section, eighth line, after the word "jury," insert the words "or county attorney."

Same section, 23d line, strike out the words "or county."

And when so amended, the committee recommend the passage of the bill.

F. F. FOSCUÉ,

Chairman on part of the Senate.

O. KYLE,

Chairman on part of the House.

Also reports :

Hon. G. W. Jones, President Senate, and Hon. N. M. Burford, Speaker of the House of Representatives :

The Committee of Conference on the disagreement of the two Houses upon the bill to provide for the Public Printing, have given the subject careful consideration, and I am instructed to recommend that the Senate recede from its amendments to the eighth section, and thus bring about an agreement between the two Houses.

F. F. FOSCUÉ,

Chairman on part of the Senate,

M. S. DUNN,

Chairman on part of the House.

Report adopted.

Senator Knox made the following report:

To the President of the Senate, and the Speaker of the House Representatives :

The Committee of Conference, to whom was referred the matter of disagreement between the two Houses, upon a bill to be entitled "An act to incorporate the New Braunfels Manufacturing Company, have considered the same, and instruct us to report the following, as a substitute for the Senate amendments, and recommended its adoption;

Insert the following as section 15.

SEC. 14. "That service of any and all legal process in any suit or proceeding against said Company, shall be sufficient if made upon the President or Secretary of the Board of Directors"

"Make section 14, section 15."

W. B. KNOX,

Chairman of the Committee on part of the Senate.

A message was received from the House, announcing the passage of the following bills:

House bill regulating the collection of debts.

House bill granting to Michael A. McBride the privilege of constructing a ferry across Red River.

Upon motion of Senator Burney the following House bills, were taken up, read first time and referred as indicated.

House bill to authorize and require the Commissioner of the General Land Office to issue a certificate for one labor of land to the heirs of Jose Angel Navarro.

Read first time and referred to Committee on Private Land Claims.

House bill granting to Michael A. McBride, the privilege of constructing a ferry across Red River.

Read 1st time and referred to Committee on Roads, Bridges and Ferries.

House bill to incorporate the town of Orange, in the county of Orange, Texas:

Read 1st time and referred to Committee on State Affairs.

House bill to incorporate the Houston Scientific Institute.

Read 1st time and referred to Committee on Education.

House bill to regulate the time of holding elections.

Read first time and referred to Committee on Privileges and Elections.

House bill making an appropriation to defray the Contingent Expenses of the Eleventh Legislature.

Read first time, rule suspended, read second time and passed to a third reading; rule further suspended, read third time and passed.

House bill to prohibit the sale of spirituous or vinous liquors within five miles of the public square in the town of Alvarado, in Johnson county.

Read first time, rule suspended, read second time and passed to a third reading; rule further suspended, read third time and passed.

Senate bill to incorporate the Neches Navigation Company,

with sundry amendments by the House; Senate concurred in the amendments.

Senator Coppedge introduced a bill to provide for the collection of amounts due from counties to the Lunatic Asylum, for expense of clothing and maintenance therein of patients from said counties.

Read first time and referred to Committee on State Affairs.

The hour having arrived for the consideration of the special order, viz:

A bill to encourage the manufacture of iron and to authorize the employment of convict labor, bill and report taken up.

Senator Guinn moved to fill first blank with "eighty thousand."

Amendment made.

Senator Guinn moved to fill second blank with "two thousand."

Amendment made.

Senator Shelley moved to amend as follows:

Insert after "dollars," in fourth line, 2nd section, "which shall be payable to bearer, and when paid out or delivered to any person for the purposes herein, shall be endorsed by the Governor, and countersigned by the Comptroller, of the date of the issuance, and shall." Strike out "to."

Amendment made.

Bill as amended, read second time, and the yeas and nays being called, was ordered to be engrossed by the following vote:

YEAS—Senators, Braswell, Boyd, Coppedge, Foscoe, Guinn, Jowers, Knox, McDade, Neyland, Saufley, Shelley, Truit, Voigt and Yarbrow—14.

NAYS—Senators, Blount, Bumpass, Burney, Cooley, Dabrymple, Reed, Selman and Stell—8.

Upon motion of Senator Parker, a bill for the relief of J. W. Vineyard and his assigns, taken up; amendments recommended by the Committee on Commerce and Manufactures adopted.

Bill read second time and ordered to be engrossed; rule further suspended, read third time and passed.

Upon motion of Senator Record, a bill to amend an act entitled "An act to prohibit the sale of intoxicating liquors in the vicinity of the town of Dallas, in Dallas county, passed Dec. 15, 1863, was taken up.

Upon motion of Senator Record, the words "Red Jacket Bitters," were stricken out.

Bill as amended, read second time and passed to a third reading; rule suspended, read third time and passed.

House bill regulating the collection of debts, on its first read-

ing, was taken up, read first time; rule suspended, read second time.

Senator Stell moved to amend as follows:

Insert after "administrators," in last section, "nor to judgments in favor of minors whose property consists in credits."

Senator Burney moved to lay the amendment upon the table.

Upon which, the yeas and nays being called, the amendment was tabled by the following vote:

YEAS—Senators, Braswell, Brown, Bumpass, Burney, Coppedge, Dalrymple, Guinn, Jowers, Littleton, McDade, Parker, Reed, Truitt and Voigt—14.

NAYS—Senators Blount, Boyd, Cooley, Foscue, Knox, Neyland, Record, Sausley, Shannon, Shelley, Stell and Yarbrow—12

Senator Record moved to amend as follows:

Provided, That should any installment be not paid at the time herein provided, execution may issue for the whole of the remainder of debt and costs, and the party and parties cannot thereafter avail themselves of the provisions of this act.

Senator Burney moved the previous question.

Main question was ordered.

The question being, "shall the bill be passed to a third reading?" and the yeas and nays being called, the bill was passed to a third reading by the following vote:

YEAS—Senators Braswell, Brown, Bumpass, Burney, Coppedge, Dalrymple, Guinn, Jowers, Littleton, McDade, Neyland, Parker, Reed, Sausley, Stell, Truitt and Voigt—17.

NAYS—Senators Blount, Boyd, Cooley, Foscue, Knox, Record, Shannon, Shelley and Yarbrow—9.

Senator Burney moved to suspend the rule and place the bill upon its final passage.

Upon which, the yeas and nays being called, the Senate refused to suspend the rule by the following vote:

YEAS—Senators Braswell, Brown, Bumpass, Burney, Coppedge, Dalrymple, Guinn, Jowers, Littleton, McDade, Neyland, Parker, Reed, Sausley, Shelley, Truitt and Voigt—17.

NAYS—Senators Blount, Boyd, Cooley, Knox, Record, Shannon, Stell and Yarbrow—9.

Senator Guinn made the following report:

Hon. G. W. Jones, President of Senate:

The Joint Committee of Conference appointed by the Senate and House of Representatives to consider the disagreement of the House to the Senate amendment to the bill entitled "An act to establish the salaries of State officers," have considered the same, and agreed as follows: That the Senate recede from

its amendment: striking out from "Legislature," in 8th line, section 1st, to "Judiciary," in 18th line. That "\$5 00," in the 20th line, be stricken out, and "\$6 00" inserted in its stead. That "\$1 50," in 22d line, be stricken out, and "\$2 00" be inserted. Strike out, in the last line but one of the section, the word "Commissioner" and insert "Superintendent;" as amended, the committee recommend that the bill be passed.

B. H. GUINN,

Chair'n on part of Senate.

T. PHELPS,

Chair'n on part of House.

The question being upon the adoption of the report, and the yeas and nays being called, the Senate refused to adopt by the following vote:

YEAS—Senators Braswell, Blount, Cooley, Foscoe, Guinn, Knox, Neyland, Record, Shannon, Shelley and Stell—11.

NAYS—Senators Brown, Bumpass, Burney, Dalrymple, Jowers, McDade, Parker, Reed, Saufley, Voigt and Yarbrow—11.

Senator Knox moved to suspend the rule to take up a bill to incorporate the Western Texas Fire, Marine and Life Insurance Company of the city of San Antonio, upon which the yeas and nays were called for.

Pending which, Senator McDade moved to adjourn until tomorrow morning at 9 o'clock.

Motion to adjourn withdrawn.

Senator Neyland made the following report:

COMMITTEE ROOM. }

Austin, Nov. 6, 1866. }

Hon. G. W. Jones, President of the Senate:

The Committee on Engrossed Bills have examined and find correctly engrossed:

A bill to be entitled "An act for the relief of J. W. Vincyard and his assigns." Respectfully submitted.

W. M. NEYLAND,

Chair'n of Com. on Eng'd Bills.

Senator Neyland made the following report:

To the President of the Senate and Speaker of House of Representatives:

The Committee of Free Conference, to whom was referred the disagreement of the two Houses upon the House bill to be entitled "An act supplementary to an act entitled an act to authorize the Governor to appoint an agent for the Alabama and Coshatt Indians, and to make an appropriation for the same," approved December 30th, 1861, have had the same under con-

sideration, and instruct us to return the said bill and recommend that the amendments of the Senate be agreed to.

The committee beg leave to submit herewith, a bill to be entitled "An act granting three hundred and twenty acres of land to the Muscogee Indians." This is a small tribe of Indians in Polk county, and the committee recommend that the accompanying bill be passed, that they may be provided with a home.

W. M. NEYLAND,

One of Com. on part of Senate.

A. B. TROWELL,

One of Com. on part of House.

Senator Knox moved to adjourn until to-morrow at 10 o'clock.

Lost.

Senator Burney moved to adjourn until 7 o'clock this evening.

Lost.

Senator Boyd offered the following resolution:

Resolved, That the Secretary of State be, and is hereby required to have printed for the use of the Senate, five hundred copies of the County Court bill, as early as practicable; and also, the captions of the General and Special Laws passed at this session of the Legislature.

Pending which, upon motion of Senator Knox, the Senate adjourned until to-morrow morning at 9 o'clock.

SENATE CHAMBER, }
November 7, 1866. }

Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called—quorum present.

Journal of yesterday read and adopted.

Senator Coppedge made the following report:

Hon. G. W. Jones, President of the Senate :

The Committee on Counties and County Boundaries, to whom was referred a House bill to be entitled "An act to locate the county site of Shelby county, have had the same under consideration. The committee are of opinion that the people of Shelby county have intelligence and patriotism sufficient to settle their own county affairs; we therefore report the bill back to the Senate and recommend that no further action be had thereon.

C. C. COPPEDGE, Chairman.